

The Honorable Marsha J. Pechman

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE**

RYAN KARNOSKI, et al.,

*Plaintiffs,*

v.

DONALD J. TRUMP, in his official capacity as  
President of the United States, et al.,

*Defendants.*

Case No. 2:17-cv-01297-MJP

**DECLARATION OF D.L. IN  
SUPPORT OF PLAINTIFFS' MOTION  
FOR SUMMARY JUDGMENT**

I, D.L., declare as follows:

1. I am a plaintiff in the above-captioned action. I have actual knowledge of the matters stated in this declaration.

2. I am a 17 year-old man and I live in Corpus Christi, Texas. I recently graduated from high school.

3. I come from a family with military service and take great pride in that. My great grandfather and great uncle both served in the Army. My great grandfather earned a Purple Heart for his service. I want to follow in their footsteps by serving my country.

4. I have put a lot of thought into my career path. For years, I have done research, spoken to veterans of different services, and decided to enlist in the Air Force. My ideal job would be to serve as a Survival, Evasion, Resistance and Escape Specialist in the Air Force. I am

1 adventurous and love the outdoors. I think I would be well suited to excel in this position,  
2 training other Airmen on survival-related techniques needed for various terrains and climates in  
3 the event that their aircraft goes down. I am very serious about pursuing this career path and  
4 want the opportunity to do so.

5         5. I understand that the requirements for transgender people to join the military have  
6 changed over time, including as a result of developments in this case, although I have been ready  
7 and willing to join the military, as I can join at 17 years of age with parental consent. My mother  
8 and next friend, Laura Garza, supports me in my decision. Based on the requirements currently  
9 in place, it is my understanding that I need to wait until 18 months after medical treatment  
10 associated with gender transition to join the military. Although I do not yet meet that 18-month  
11 requirement, I continue to prepare and do what I can in order to join once I meet this  
12 requirement.

13         6. In preparation for enlistment, I began communicating with an Air Force recruiter  
14 in early July 2017. When I disclosed to the recruiter that I am transgender, the recruiter stopped  
15 communicating with me. Given recent developments in this case, I intend to resume  
16 communications with Air Force recruiters and express my ongoing commitment and desire to  
17 join the military as soon as I meet the requirements above.

18         7. I am transgender. I was assigned the sex of female at birth but my gender identity  
19 is male. I came out about this in the summer of 2015 and have lived openly as male since that  
20 time.

21         8. In consultation with health care professionals, I have taken clinically appropriate  
22 steps to transition.

23         9. I have experienced some challenges in coming out as transgender and people are  
24 not always accepting of who I am. I was so relieved and hopeful, though, when I found out that I  
25 would be able to enlist in the military, being open about myself, and being able to follow my  
26 dreams to serve. For some time, based on the announcement that transgender people could serve  
27 openly, I had prepared for the military and been very optimistic about my future in the Air Force.

1           10.     To later have the President of the United States take that future away, on Twitter,  
2 and discriminate against me and other people who are transgender was demoralizing. I would not  
3 have expected that from the leader of our country.

4           11.     Specifically, on July 26, 2017, I saw that President Trump posted three tweets that  
5 spoke to a potential new policy regarding transgender service people. The tweets read:

6                   After consultation with my Generals and military experts, please be advised that  
7 the United States Government will not accept or allow.....

8                   ....Transgender individuals to serve in any capacity in the U.S. Military. Our  
9 military must be focused on decisive and overwhelming.....

10                  ....victory and cannot be burdened with the tremendous medical costs and  
11 disruption that transgender in the military would entail. Thank you

12           12.     I remember reading these tweets on my cell phone and telling my mother and  
13 girlfriend about them. I will never forget that. I was in disbelief and shocked that the President,  
14 the leader of our country, would say such things and blatantly discriminate against a group of  
15 people, like me, who only want to serve their country. I felt disheartened and devastated. It was  
16 like my whole future dreams were crushed instantly by his words. I also felt anger that the  
17 President would target a specific group of people for exclusion from the military.

18           13.     The President's tweets against transgender soldiers and the document that the  
19 President sent on August 25, 2017 – preventing transgender individuals from joining the military  
20 – caused me to feel deep sorrow mixed with anxiety and anger. For instance, after reading the  
21 President's tweets, I had great difficulty sleeping. I lay in bed feeling like my entire future got  
22 thrown out the window, and for such an unfair and unjust reason. It made me feel uncertain  
23 about my future and lost.

24           14.     I had put all my energy and focus into joining the military. I was planning to  
25 enlist upon graduation from high school, if not for being barred from doing so, and I still plan to  
26 enlist when I meet the current requirements. I have not made other plans. I was counting on  
27 pursuing a military career, and still feel called to do so. The President's decision to ban people  
28

1 like me from the military feels like someone pulled the rug out from under me. It has caused me  
2 tremendous stress and difficulty.

3 15. I want to be able to join the military as soon as possible. Any delays will hurt my  
4 long-term career possibilities. It also makes it incredibly hard for me to plan my life, not  
5 knowing if I will be able to join the military when I meet the requirements. My peers can all pick  
6 out their future careers, and then pursue that career, but I cannot do that. Plus, the military will  
7 lose out on a capable, committed, and ready service member. I know there are many people like  
8 myself who would add strength to our military and serve honorably if we were only given the  
9 chance. We should be able to do so, and should be judged like everyone else – based on our abilities  
10 – and not our personal traits such as our gender identity.

11 16. If not for the President's tweets and ban on open service by transgender  
12 individuals, I would seek to enlist. I am ready and able to begin pursuing my career in the  
13 military and do not want to be prevented any longer. As noted above, when I meet the current  
14 requirements to enlist, I intend to do so, and I hope that I will not be denied this opportunity  
15 merely because I am a transgender man.

16 17. I have engaged in speech and conduct that has disclosed my status and identity as  
17 a transgender man. I have expressed my gender identity, including by coming out to the Air  
18 Force recruiter, taking steps to transition, and living openly as male in my everyday life. I want  
19 and need to be able to continue to engage in speech and conduct disclosing my transgender status  
20 and expressing my male gender identity.

21  
22 Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the  
23 United States of America that the foregoing is true and correct.

24  
25 DATED: January 22, 2018

26 

27 D.L.

**CERTIFICATE OF SERVICE**

The undersigned certifies under penalty of perjury under the laws of the United States of America and the laws of the State of Washington that all participants in the case are registered CM/ECF users and that service of the foregoing documents will be accomplished by the CM/ECF system on January 25, 2018.



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